IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39205 of 2007
MRITUNJAY RAJAK @ MRITUNJAY KUMAR RAJAK
Versus
STATE OF BIHAR
---

5 6.5.2008 Heard learned counsel for the parties.

The petitioner is an accused in a case under sections 366A and 376 of the Penal Code.

The allegation is that the petitioner is said to have kidnapped the victim girl. The girl was recovered and she has given her statement under section 164 of the Cr.P.C. In her statement she has said that the petitioner allured her and took her with him. She has also said that she was forcibly compelled for a physical relationship.

The girl has remained with the petitioner for several days and thereafter she left for railway station and returned home.

WEB COPY NOT OFFICIAL

Learned counsel for the petitioner submits that the girl has been medically examined and it is said that she is sixteen years old. It is further submitted that there is no question of allurement, rather, the girl had voluntarily left her home. It is further submitted that between petitioner and the victim girl there was some sort of love affair and as such she ran away on her own with the petitioner.

However, considering the short period of custody I am not inclined to grant bail to the petitioner. This bail petition is dismissed.

haque **(Sheema Ali Khan, J.)**